



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Innes**

Serial No.: **09/613,407**

Filed: **July 11, 2000**

For: **Database Synchronisation for
Mobile Computing Devices**

36736

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

§ Group Art Unit: **2141**
§
§ Examiner: **Mirza, Adnan M.**
§
§ Attorney Docket No.: **GB9-2000-0017-US1**
§

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

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By:

Michele Morrow
Michele Morrow

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:
ENCLOSED HEREWITH:

- Appellant's Brief (in triplicate) (37 C.F.R. 1.192); and
- Our return postcard.

A fee of \$330.00 is required for filing an Appellant's Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0461. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

Respectfully submitted,

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Group Art Unit: **2141**

**Examiner: Mirza, Adnan M.**

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Michele Morrow  
Michele Morrow

This brief is in furtherance of the Notice of Appeal, filed in this case on June 10, 2004.

The fees required under § 1.17(c), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief is transmitted in triplicate. (37 C.F.R. 1.192(a))

### **REAL PARTIES IN INTEREST**

The real party in interest in this appeal is the following party: International Business Machines Corporation.

### **RELATED APPEALS AND INTERFERENCES**

With respect to other appeals or interference's that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

### **STATUS OF CLAIMS**

#### **A. TOTAL NUMBER OF CLAIMS IN APPLICATION**

Claims in the application are: 1-23.

#### **B. STATUS OF ALL THE CLAIMS IN APPLICATION**

1. Claims canceled: NONE
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1-23
4. Claims allowed: NONE
5. Claims rejected: 1-23

#### **C. CLAIMS ON APPEAL**

The claims on appeal are: 1-23.

## **STATUS OF AMENDMENTS**

There are no amendments after final rejection.

## **SUMMARY OF INVENTION**

The present invention relates to performing server initiated database synchronisation between a mail server and a client on a mobile computing device. (Specification, page 13, line 24 to page 14, line 8) Both the mail server and the client are provided with a copy of a user mailbox 40, 40A. (Specification, page 13, lines 13-14) When a message for that user is received at the mail server, this is stored in their server mailbox. (Specification, page 12, lines 10-13) The mail server then initiates a link with the client and prompts it to dial into the mail server in order to synchronise its local copy of the mailbox with the server copy. (Specification, page 17, line 21 to page 18, line 3) In this manner new mail is automatically transferred to the client device upon receipt at the mail server. (Specification, page 15, lines 1-17)

## **ISSUES**

The only issue on appeal is whether claims 1-23 are unpatentable over Nishio et al. (U.S. Patent No. 6,381,651 B1) and Hashimoto et al. (U.S. Patent No. 5,931,905).

## **GROUPING OF CLAIMS**

The claims do not stand or fall together. The claims stand or fall in accordance with the following grouping of claims, the reasons set for the following groupings being provided in the following arguments:

- Group I - claims 1-3, 5-7, 9, 10, 12-15, 17, 18, 20, 22 and 23;
- Group II - claims 4 and 16;
- Group III - claims 8 and 19; and
- Group IV - claims 11 and 21.

## ARGUMENT

The Final Office Action rejects claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over Nishio et al. (U.S. Patent No. 6,381,651 B1) and Hashimoto et al. (U.S. Patent No. 5,931,905). This rejection is respectfully traversed.

Nishio teaches a system that stores favorite information that relates to the favorites of a user. Whether digital information that has newly occurred on a network suits the favorites of the user is judged based on the user favorites information. If it is judged that there exists digital information that suits the favorites of the user, the system informs the user of the new establishment of the digital information that suits the favorites of the user by transmitting emails to the user. When a browsing request of the digital information is made by the user, the system delivers the digital information to the user and stores history information relating to a history of the digital information that has been delivered to the user. Thereafter, the system updates the user favorites information based on the history information.

Hashimoto teaches a TV mail system comprised of a plurality of televisions each having a receiving function capable of receiving broadcasts and displaying a program. The system also includes a mail server to which the televisions are connected through communication lines, wherein the television has a mail sending function for creating electronic mail which is output the mail server. The television mail system may also receive mail and display the contents of mail data received from the mail server. The mail server has a database in which authentication information of users are registered, a receiving mail box for storing received mail data, mail boxes for receivers, a mail distribution device for distributing, to a mail box for the receiver, mail data stored in the receiving mail box by making a reference to the authentication database and an outputting device which sends out the mail data received from one television to at least one different television in corresponding with the destination information.

Appellant respectfully submits that, contrary to the allegations made in the Final Office Action, the combination of Nishio and Hashimoto does not, in fact, teach or suggest a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client, and initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client

copy of said mailbox with the mail server copy using the second protocol, as recited in independent claims 1, 13 and 23.

**I. 35 U.S.C. § 103, Alleged Obviousness of Groups I-VI, Claims 1-23**

Claim 13, which is representative of the other rejected independent claims 1 and 23 with respect to similarly recited subject matter, reads as follows:

13. A mail server for initiating database synchronisation with a client on a mobile computing device, comprising:  
a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client;  
means for receiving a message for said user at the mail server;  
means for storing the message in said user mailbox on the mail server;  
means, responsive to receipt of said message at the mail server, for initiating a link between the mail server and the client; and  
means for transmitting synchronisation updates to the client in order to synchronise the client copy of said mailbox with the mail server copy, such that said message is added to the client copy of the mailbox, wherein the step of initiating the link comprises:  
creating a first trigger message,  
transmitting said trigger message to a message server,  
at the message server, transmitting a second trigger message to the client using a first protocol responsive to receipt of the first trigger message,  
at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client copy of said mailbox with the mail server copy using the second protocol.

Nishio and Hashimoto merely transmit email messages from servers to devices. Nishio and Hashimoto, taken alone or in combination, fail to teach or suggest a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client. The Final Office Action, dated March 10, 2004, alleges that this feature is taught by Nishio at column 11, lines 7-21, which reads as follows:

Basically, pieces of individual delivery information having the same information identifier are combined into single informing E-mail. This is because if informing E-mail were formed for each individual delivery information, many pieces of informing E-mail having the same purpose of informing a user of the new establishment of a home page would be transmitted to the user.

Looking at the summary information that is described in the body of the informing E-mail that comes in the above manner, the user of the user terminal 1

requests the home page corresponding to the summary information by manipulating the user terminal 1 if he wants it. Specifically, for example, he inputs the URL that is the information identifier described in the informing E-mail together with the summary information and transmits it from the user terminal 1 to the SP server 3 via the public network 2.

There is nothing in this section, or any other section of Nishio, that teaches or suggests a copy of a user mailbox on a mail server and a copy of the same user mailbox on a client. Nishio merely teaches a system where new home pages are transmitted to a user when an information provider transmits a new home page or a new home page is registered in an IP server. The Nishio system then delivers the new home page to the user using the user personal information provided during registration. To deliver the new home page, an individual delivery information construction process is executed where Nishio determines summary information that should also be sent to a user in addition to the new home page and then sends an email to the user.

Finally, as described in the section cited by the Final Office Action, the email is constructed using personal information, email address, provided by the user and the individual delivery information. Then the user selects a home page from the information that is transmitted in the email. The only personal information retained by the Nishio system is described in column 7, lines 13-16, which reads as follows:

In FIG. 6, the registration picture is constructed such that boxes for input of a name, an E-mail address, a gender, a date of birth, hobbies of a user are sequentially arranged from the top.

The personal information being a name, email, date of birth, gender and hobbies. Nishio also retains a history which is described in column 3, lines 54-56; which reads as follows:

The ID server 6 is configured to store history information that relates to a history of home pages that are requested by the user.

The history is a history of home pages that are requested by the user. Thus, Nishio fails to teach or suggest the one aspect of the instant claims which is presence of a copy of a user mailbox on a mail server and a copy of the same user mailbox on a client.

Hashimoto does not provide for the deficiencies of Nishio. That is Hashimoto does not teach or suggest a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client. Hashimoto provides a system where a user can send and receive email through a TV mail system. While Hashimoto teaches a mail server to retain the mail information

of the user, there is no copy of the user mailbox on the user's TV system. In fact the only storage of information on the user's TV system is in element 15, which is described at column 9, lines 2-6, which reads as follows:

Moreover, the program controller 12 provides an electronic mail service to meet a request from a user. Fixed information required for the interactive television 10 to provide the TV mail service has been stored in information storing section (a memory) 15.

The fixed information is information required for the interactive television to provide TV mail service. There is no user mailbox on a client which is a copy of the user mailbox on the server. Hashimoto stores email in element 37, which is on the server. Thus, Nishio and Hashimoto, taken alone or in combination fail to teach or suggest a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client.

Furthermore, in the December 30, 2003 response, Appellant argued that Nishio and Hashimoto, taken alone or in combination, fail to teach or fairly suggest at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client copy of said mailbox with the mail server copy using the second protocol. In response, the Examiner, on pages 7-8 of the Final Office Action dated March 10, 2004, states the following:

Applicant argued that prior art did not disclose the use of a simple first protocol from a server to trigger a mobile device that an email is present, followed by a request using a more powerful second protocol from the device to the server to the request the transmission of the email from the server to the device using the second protocol.

As to applicant's argument Hashimoto disclosed mail boxes of the receivers are dispersed to local response servers so that the load for the center response server is dispersed and reduced. Since the mail routing program is provided with the function of converting the communication protocol to convert the protocol to another mail, mutual connection with the other mail can be performed (col. 16, lines 31-39). The mail transfer program takes out the received mail from the mail box indicated with the receiver ID to make mail data. Mail data is forwarded to the program controller of the interactive television. Data communication is performed by using the communication controllers (col. 16, lines 13-19). One ordinary skill in the art at the time of the invention can interpret the second protocol as a transfer protocol and the first protocol as communication protocol.

Appellant respectfully disagrees that Nishio or Hashimoto, taken alone or in combination, fairly



teach or suggest at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client copy of said mailbox with the mail server copy using the second protocol. The Examiner admits that Nishio does not teach this feature. The cited section of Hashimoto, reads as follows:

The mail transfer program 23 takes out the received mail from the mail box 29 indicated with the receiver ID to make mail data. Mail data is forwarded to the program controller 12 of the interactive television 10. Data communication is performed by using the communication controllers 21 and 14.

(Column 16, lines 13-19)

As described above, according to this embodiment, the mail boxes 29 of the receivers are dispersed to local response servers 20 so that the load for the center response server 30 is dispersed and reduced. Since the mail routing program 24 is provided with the function of converting the communication protocol to convert the protocol to another mail, mutual connection with the other mail can be performed.

(Column 16, lines 31-39)

In these sections, Hashimoto refers to email sent to a user that is stored in element 29, which is storage of the user's email on the local response server. When an email is selected to be read by the user, the email is transferred from the user's mail box to the program controller, which allows the user to view the email stored on the local response server and read the email on a mail receiving screen. The program controller element is not a storage device, but rather a program for reading or composing an email. As shown above, the only information stored on the interactive TV is fixed information required for the interactive television to provide TV mail service.

Thus, the combination of Nishio and Hashimoto would not result in the presently claimed invention. One of ordinary skill in the art, being presented only with Nishio and Hashimoto, and without having prior knowledge of Appellant's claimed invention, would not have found it obvious to combine and modify Nishio and Hashimoto to arrive at Appellant's claimed invention. To the contrary, even if one were somehow motivated to combine Nishio and Hashimoto, and it were somehow possible to combine the two systems, the result would not be the invention recited in claim 13. The result would be a process that automatically sends out new home page information to a user and storing it on a mail server.

Moreover, the alleged motivation provided in the Final Office Action is based completely on a prior knowledge of Appellants' claimed invention. The Final Office Action alleges that the reason one of ordinary skill in the art would be motivated to combine Nishio and Hashimoto is to "reduce the cost of delivering Email to the users and reduce latency in the terms of Email transfer and updates." This alleged motivation is rooted in the erroneous interpretation of Nishio and Hashimoto as teaching a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client, as illustrated above.

Hashimoto is concerned with problems in providing information to a user over existing TV systems, which is described in column 1, lines 28-55 and column 1, line 65 to column 2, lines 16, which reads as follows:

However, since the conventional television broadcast system one-way presents information from the broadcast station to viewers through televisions, selective display of supplementary information of a commodity required by a user among a plurality of commodities presented in a program, or calling viewers during the program to real-time add up responses from the viewers to reflect the response to the contents of the program cannot be performed.

In order to realize a bi-directional program (hereinafter called a "bi-directional program") with which not only one-way presenting information from the presenter of a program to viewers can be performed but also viewers are permitted to return responses to the program, it might be feasible to employ a interactive television (hereinafter called a "interactive television") having a function capable of accepting response data through the television from which a television program is being broadcast to send data above to an accumulation center (a response server).

However, the television adapted to the teletext broadcasting is arranged to perform only one-way information transmission such that programs transmitted from a broadcast station are presented for viewers. As described above, use of the television of the foregoing type has been limited.

As described above, since the television for home use is arranged to perform only one-directional information communication such that programs are presented to viewers, use of the television of this type has been limited.

(Column 1, lines 28-55)

According to one aspect of the present invention, there is provided a TV mail system comprising: a plurality of televisions each having a receiving function capable of receiving broadcasting radio waves and displaying a program; and a mail server to which the televisions are connected through communication lines, is characterized in that the television has a mail sending function for making mail including at least destination information and the body of a mail to output the mail data to the mail server and a mail receiving function for displaying the contents of

mail data sent from the mail server, the mail server has a database in which authentication information of users are registered, a receiving mail box for storing received mail data, mail boxes for receivers, a mail distribution means for distributing, to a mail box for the receiver, mail data stored in the authentication database and an outputting means which sends out the mail data received from one television to at least one different television in corresponding with the destination information.

(Column 1, line 65 to column 2, line 16)

In these sections Hashimoto provides email through interactive television to users who receive television broadcasts. Hashimoto is limited to providing email to a TV receiver.

Nishio is concerned with problems in searching form information for a user, which is described in column 1, lines 36-55 and column 1, line 61 to column 2, line 5, which read as follows:

As described above, by utilizing the Internet, a user can be provided with information in various manners. However, since the amount of information is enormous, it is difficult for a user to easily acquire information that truly suits his favorites.

For example, in the case of the E-mail, since the same information is delivered to all users who are registered on a mailing list, it may include information that is useless to a certain user. Further, in the case of the E-mail, the cost of reception increases as the amount of information to be delivered increases.

With the net news system and the WWW system, a user needs to search for information that suits his favorites, which is cumbersome. Further, with the net news system and the WWW system, various information providers register new information, thus new information occurs on the Internet. A user needs to check, by accessing a net news server or a WWW server, whether new information that suits his favorites has occurred, which is also cumbersome.

(Column 1, lines 36-55)

The invention provides an information processing apparatus connected to a network, comprising favorites information storing means for storing user favorites information that relates to favorites of a user; judging means for judging, based on the user favorites information, whether information that has newly occurred on the network is suitable for the favorites of the user; informing means for informing the user of occurrence of the information that has been judged by the judging means to be suitable for the favorites of the user; and delivering means for delivering the information to the user when a browsing request of the information is made by the user.

(Column 1, line 61 to column 2, line 5)

In these sections, Nishio teaches storing of user favorites information that relates to the favorites

of a user.

In contradistinction, the present invention relates to performing server initiated database synchronisation between a mail server and a client on a mobile computing device. Thus, the recognized problems and solutions offered by Nishio and Hashimoto, are different than those of the presently claimed invention. Therefore, the allegation that it would be obvious because it would reduce the cost of delivering Email to the users and reduce latency in the terms of Email transfer and updates is not based on the teachings of the references but is instead an attempt to recreate Appellants' claimed invention having first had benefit of Appellants' disclosure. The mere fact that a prior art reference can be readily modified does not make the modification obvious unless the prior art suggested the desirability of the modification. In *re Laskowski*, 871 F.2d 115, 10 U.S.P.Q.2d 1397 (Fed. Cir. 1989) and also see *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992) and *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1993). Moreover, the examiner may not use the claimed invention as an "instruction manual" or "template" to piece together the teachings of the prior art so that the invention is rendered obvious. In *re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). Such reliance is an impermissible use of hindsight with the benefit of applicant's disclosure. *Id.*

In view of the above, Appellant respectfully submits that Nishio and Hashimoto, taken alone or in combination, fail to teach or suggest all of the features of claim 13, or the similar features found in independent claims 1 and 23. At least by virtue of their dependency on claims 1, 13 and 23, Nishio and Hashimoto, taken alone or in combination, fail to teach or suggest the features of dependent claims 2-12 and 14-22. Accordingly, Appellant respectfully submits that the rejection of claims 1, 2 and 4-16 under 35 U.S.C. § 103(a) should be overturned.

## **II. 35 U.S.C. § 103, Alleged Obviousness of Group II – Claims 4 and 16**

Claim 4, which is representative of the other rejected dependent claim 16, reads as follows:

4. The method of claim 3, wherein the agent initiates the call to the client by:  
creating the first trigger message, said first trigger message comprising the remote device id;  
transmitting said first trigger message to the message server; and  
responsive to receipt of said first trigger message at the message server,

initiating said link between the mail server and the client in order to perform said synchronisation.

In addition to the above, the combination of Nishio and Hashimoto fails to teach or suggest the specific features of recited in these claims. The Office Action alleges that Hashimoto teaches these features at column 14, lines 1-10 and column 3, lines 3-19, which read as follow:

FIG. 18 is a diagram showing the data structure of a authentication database 35. The authentication database 35 has, in addition to personal information of users and mail receiving information, IDs of local response servers covering the interactive televisions of users. FIG. 19 is a diagram showing the data structure of node managing information stored in the node managing information storing unit 40. Node managing information is composed of IDs of local response servers network addresses.

(Column 14, lines 1-10)

... a plurality of local mail servers to which the televisions are connected through communication lines in each predetermined area and which are connected to one another on a network; and a center mail server to which the local servers are connected through the communication lines, is characterized in that the television has a mail sending function which makes mail including at least destination information and the body of a mail to output the mail data to the local mail server, and a mail receiving function for displaying a received mail on the basis of the contents of mail data received from the local server, the center mail server has a database in which authentication information of users are registered and name analysis means which acquires, from the authentication database, authentication information of a receiver, analysis of which has been requested by the local servers, to output the authentication information to the local server from which the request has been made...

(Column 3, lines 3-19)

In these sections, Hashimoto is describing the process of a user receiving mail through the TV mails setup. The user proceeds through an authentication process to properly identify the user. Once complete, the user connects to a local mail server to receive an email. The email is displayed on the users TV including the header and body of the email from the local mail server. However, as shown above, Hashimoto does not teach a copy of a mailbox on the client system; thus, Hashimoto does not teach or suggest initiating said link between the mail server and the client in order to perform said synchronisation. Since the references, taken alone or in combination, fail to teach or suggest each and every claim limitation, claims 4 and 16 cannot be rendered obvious by a combination of Nishio and Hashimoto.

### **III. 35 U.S.C. § 103, Alleged Obviousness of Group III – Claims 8 and 19**

Claim 8, which is representative of the other rejected dependent claim 19, reads as follows:

8. The method of claim 6, wherein the second trigger message is an SMS text message.

In addition to the above, the combination of Nishio and Hashimoto fails to teach or suggest the specific features of recited in these claims. The Final Office Action alleges that this feature is taught by Nishio at column 12, lines 2-12, which reads as follows:

On the other hand, if it is judged at step S32 that the information body is not a URL, that is, if the home page that is requested by the user is one stored in and managed by the ID server 6, i.e., stored in the delivery information storing section 13, the process goes to step S34. At step S34, the readout section 19 reads out, from the delivery information storing section 13, data (HTML file) of the home page as the information body that was referenced at step S34. The process then goes to step S35.

In this section, Nishio merely describes URLs in the body of the email message sent to the user and the HTML data of the home page as the information body. There is nothing in this section, or any other section of Hashimoto, that describes a trigger message that is an SMS message, which is a short alphanumeric message. Since the references, taken alone or in combination, fail to teach or suggest each and every claim limitation, claims 8 and 19 cannot be rendered obvious by a combination of Nishio and Hashimoto.

### **IV. 35 U.S.C. § 103, Alleged Obviousness of Group IV – Claims 11 and 21**

Claim 11, which is representative of the other rejected dependent claim 21, reads as follows:

11. The method of claim 1, comprising the steps of:  
    logging when synchronisation was last performed; and  
    responsive to receipt of a new message for the user at the mail server,  
    waiting a predetermined amount of time after said synchronisation was last  
    performed before performing synchronisation again.

In addition to the above, the combination of Nishio and Hashimoto fails to teach or suggest the specific features of recited in these claims. The Final Office Action alleges that Nishio teaches this feature at column 17, lines 38-56, which reads as follows:

As described above, since informing E-mail for a home page that has newly occurred on the Internet 4 and suits the favorites of respective users is generated and delivered to the respective users, the users can easily acquire information that suits their favorites (i.e., information they require). Further, since history information of home pages accessed by a user is stored by utilizing informing E-mail and the personal favorites information is updated based on the history information, it is possible to inform the user of new establishment of a home page that suits his favorites, whereby the user can be provided with, so to speak, efficient information.

Since the informing E-mail includes not a home page itself but its summary information, it is possible to avoid a case that the amount of information included in the informing E-mail becomes enormous.

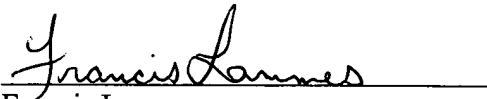
Further, from the viewpoint of a home page information provider, since an age group of users whom the information provider wants to view the home page and genres of interest of those users are registered as favorites information, it is possible to have those users recognize the existence of the home page.

This section of Nishio merely teaches that an informing email includes homepages that suit the favorites of the user and that the email includes a summary of the favorites so as to avoid enormous emails. As shown above, Nishio and Hashimoto, taken alone or in combination, fail to teach or fairly suggest a user mailbox on a server and a copy of the same user mailbox on a client and a synchronising the client copy of the user mailbox with the mail server copy of the user mailbox. Thus, neither Nishio nor Hashimoto, taken alone or in combination, fairly teaches or suggests logging when synchronisation was last performed and responsive to receipt of a new message for the user at the mail server, waiting a predetermined amount of time after said synchronisation was last performed before performing synchronisation again. Since the references, taken alone or in combination, fail to teach or suggest each and every claim limitation, claims 11 and 21 cannot be rendered obvious by a combination of Nishio and Hashimoto.

## **CONCLUSION**

In view of the above, Appellant respectfully submits that claims 1-23 are allowable over the cited prior art and that the application is in condition for allowance. Accordingly, Appellant respectfully requests the Board of Patent Appeals and Interferences to not sustain the rejections set forth in the Final Office Action.

Respectfully submitted,

A handwritten signature in cursive script, reading "Francis Lammes", is written over a horizontal line.

Francis Lammes

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## APPENDIX OF CLAIMS

The text of the claims involved in the appeal are:

1. A method for performing server initiated database synchronisation between a mail server and a client on a mobile computing device, the method comprising the steps of:

providing the mail server and the client each with a user mailbox, wherein the mail server mailbox includes a remote device id for identifying the client;

receiving a message for said user at said mail server;

storing the message in said user mailbox on said mail server;

responsive to receipt of said message at the mail server, initiating a link between said mail server and said client using said remote device id, and wherein the step of initiating the link comprises:

creating a first trigger message,

transmitting said trigger message to a message server,

at the message server, transmitting a second trigger message to the client using a first protocol responsive to receipt of the first trigger message,

at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises:

synchronising the client mailbox with the mail server mailbox using the second protocol such that said message is added to the client mailbox.

2. The method of claim 1, wherein the mail server mailbox includes the remote device id for identifying the client.
3. The method of claim 2, wherein the step of initiating a link to said client comprises executing an agent, wherein the agent initiates a call to the client using said remote device id.
4. The method of claim 3, wherein the agent initiates the call to the client by:  
creating the first trigger message, said first trigger message comprising the remote device id;  
transmitting said first trigger message to the message server; and  
responsive to receipt of said first trigger message at the message server, initiating said link between the mail server and the client in order to perform said synchronisation.
5. The method of claim 4, wherein said message server includes an address book, in which the remote device id of the client and contact details are stored.
6. The method of claim 5, wherein the step of initiating a link to the client further comprises:  
receiving the first trigger message at said message server;  
looking up the remote device id contained within said first trigger message in the message server's address book;  
mapping said remote device id to the corresponding contact details; and  
using said details to transmit the second trigger message to the client.

7. The method of claim 6 wherein a first link is established between the client and the message server to allow receipt of said second trigger message by the client, said method further comprising the steps of:

dropping said first link after receipt of said second trigger message at the client;

initiating a second link from the client to the message server; and

transmitting a synchronisation request over said second link from the message server to the client using the second protocol, wherein said synchronisation is performed in response to receipt of said request at the client.

8. The method of claim 6, wherein the second trigger message is an SMS text message.

9. The method of claim 4, wherein the mail server and the message server are physically the same machine.

10. The method of claim 1, further comprising the step of allowing a user to disable server initiated database synchronisation with the client.

11. The method of claim 1, comprising the steps of:

logging when synchronisation was last performed; and

responsive to receipt of a new message for the user at the mail server, waiting a predetermined amount of time after said synchronisation was last performed before performing synchronisation again.

12. The method of claim 11, further comprising the step of enabling a user to alter said predetermined amount of time.

13. A mail server for initiating database synchronisation with a client on a mobile computing device, comprising:

a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client;

means for receiving a message for said user at the mail server;

means for storing the message in said user mailbox on the mail server;

means, responsive to receipt of said message at the mail server, for initiating a link between the mail server and the client; and

means for transmitting synchronisation updates to the client in order to synchronise the client copy of said mailbox with the mail server copy, such that said message is added to the client copy of the mailbox, wherein the step of initiating the link comprises:

creating a first trigger message,

transmitting said trigger message to a message server,

at the message server, transmitting a second trigger message to the client using a first protocol responsive to receipt of the first trigger message,

at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client copy of said mailbox with the mail server copy using the second protocol.

14. The mail server of claim 13, wherein the mail server copy of the mailbox includes a remote device id for identifying the client.

15. The mail server of claim 14, wherein the means for initiating a link to said client comprises an agent which initiates a call to the client using said remote device id.

16. The mail server of claim 15, wherein the mail server further includes a message server, and wherein the agent initiates the call to the client by creating the first trigger message, said first trigger message including the remote device id, and by transmitting said first trigger message to the message server, said message server including means responsive to receipt of said first trigger message for initiating said link between the mail server and the client in order to perform said synchronisation.

17. The mail server of claim 16, wherein said message server includes an address book, in which the remote device id of the client and contact details are stored.

18. The mail server of claim 17, wherein the message server further comprises:

- means for receiving the first trigger message;
- means for looking up the remote device id contained within said first trigger message in the message server's address book;
- means for mapping said remote device id to the corresponding contact details; and
- means for using said details to transmit the second trigger message to the client.

19. The mail server of claim 18, wherein the second trigger message is an SMS text message.
20. The mail server of claim 13, further comprising means for allowing a user to disable server initiated database synchronisation with the client.
21. The mail server of claim 13, further comprising:  
a log of when synchronisation was last performed; and  
means responsive to receipt of a new message for the user at the mail server, for waiting a predetermined amount of time after synchronisation was last performed before performing synchronisation again.
22. The mail server of claim 21, further comprising means for enabling a user to alter said predetermined amount of time.
23. A mobile computing device including a copy of a user mailbox, wherein said copy corresponds to a user mailbox on a mail server, said server performing server initiated database synchronisation upon receipt of a message for the user at said mail server, said device comprising:  
means for detecting a call from the mail server, the call being transmitted using a simple first protocol;  
means, responsive to detecting said call, for initiating a link with the mail server using a second protocol; and  
means for receiving synchronisation updates from the mail server using the second protocol

in order to synchronise the client copy of said mailbox with the mail server copy such that said message is added to the client copy of the mailbox.